

Ordinance 2019-1

Chapter 25

All-Terrain Vehicles and Snowmobiles

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25.010 Authority. The Casco Village Board adopts the provisions of this Ordinance pursuant to the authority of Wis. Stats. §23.33(11) and §350.18.

25.020 Regulation of All-Terrain Vehicles. Except as otherwise specifically provided in this Code, the statutory provisions of Wis. Stat. §23.33 and Wis. Admin. Code NR §64 describing and defining regulations with respect to all-terrain vehicles are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute or administrative code incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes or administrative code incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of all-terrain vehicles.

25.021 Operation of ATVs or UTVs on ATV Routes. The operation of an ATV or UTV on a roadway that is an approved ATV Route and signed in accordance with Wis. Stat. §23.33(8)(e) by Casco Village or any city, town or village is subject to the following provisions:

- (1) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions and rules, including Wis. Stats. §23.33 and Wisconsin Administrative Code NR §64.
- (2) Operators shall observe a speed limit of 35 miles per hour or the posted speed limit, whichever is less.
- (3) Operators shall operate on the paved surface on the extreme right side of the roadway.
- (4) Operators shall ride in single file.
- (5) Operators who were born on or after January 1, 1988 must have completed an ATV safety certification course.

- (6) Operators must be at least 16 years of age and possess a valid driver's license.
- (7) No person may operate an ATV or UTV on an ATV Route at any time before or after the Operating Hours. Operating Hours are 60 minutes before sunrise to 60 minutes after sunset.
- (8) Every ATV/UTV shall be equipped, maintained, and operated so as to prevent excessive or unusual noise. No person shall drive an ATV/UTV on an ATV Route unless such ATV/UTV is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. It shall be unlawful to use a muffler cutout, bypass, or similar device on any ATV/UTV upon an ATV Route. No person shall modify or change the exhaust muffler, the intake muffler, or any other noise-abatement device of an ATV/UTV in a manner such that the noise emitted by the ATV/UTV is increased above that emitted by the ATV/UTV as originally manufactured.

25.030 Regulation of Snowmobiles. Except as otherwise specifically provided in this Code, the statutory provisions in Chapter 350, Wisconsin Statutes, describing and defining regulations with respect to snowmobiles are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of snowmobiles.

25.040 Penalties.

- (1) Any forfeiture for a violation for the State Statutes adopted by reference in this Chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the uniform deposit and misdemeanor bail schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- (2) Any violation of this Chapter not included in the uniform deposit and misdemeanor bail schedule of the Wisconsin Judicial Conference shall have a cash deposit of seventy-five dollars (\$75.00) plus court costs and one-hundred fifty dollars (\$150.00) plus court costs for a second violation of this Ordinance within a 12 month period.

25.050 Enforcement. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

25.060 Effective Date. This ordinance is effective upon passage and publication.